THE HON'BLE SRI JUSTICE N.V. RAMANA

W.P.No. 23161 of 2006

DATE: 08-11-2006

Between:

M. Surendra Babu and another.

..Petitioners.

And

The Southern Power Distribution Company Ltd.,
Tirupathi rep., by its Chairman & Managing Director and two others.

..Respondents

THE HON'BLE SRI JUSTICE N.V. RAMANA

W.P.No. 23161 of 2006

O R D E R:

The petitioners, who are working as contract labour in the respondents-APSPDCL, applied to the posts of Contract Junior Linemen in response to the notification dated 06.06.2006 issued by the respondents. The case of the petitioners is that the educational qualification prescribed in the notification for the post of contract junior linemen is SSLC/SSC with ITI qualification in Electrical/Wireman trade, and since they have been working as contract labour in the respondents-APSPDCL for more than 7 years, their cases may be considered for the post of Junior Linemen on contract basis duly exempting from the said qualifications. Hence, they filed the present writ petition.

2. Heard the learned counsel for the petitioners and the learned Standing Counsel for the respondents-APSPDCL.

3. The main contention of the learned counsel for the petitioners in this writ petition is that the petitioners have been working as junior linemen on contract basis in the respondents-APSPDCL for more than 7 years, and they have acquired necessary experience, and the respondents-APSPDCL, without considering their seniority and experience, is intending to replace them by recruiting new contract

labour, which violates the right to life guaranteed under Article 21 of the Constitution of India. He further contends that in view of the services rendered by the petitioners as contract labour for more than 7 years, priority should be given to them by the respondents-APSPDCL in the matter of the engagement, and accordingly, prayed for directions to the respondents to consider the cases of the petitioners for the posts of Junior Linemen on contract basis.

4. The learned Standing Counsel for the respondents-APSPDCL submits that Condition No. 6(b) of the revised notification states that the contract labour will be given preference for selection, and accordingly, they will give priority to the contract labour working in the respondents-APSPDCL in the selection process.

5. Having regard to the revised notification and the stand taken by the learned Standing Counsel for the respondents, the only direction that can be given in this writ petition is that the respondents-APSPDCL shall strictly adhere to Condition 6(b) of the revised notification and give priority to the petitioners at the time of considering their cases for selection to the posts of contract junior linemen.

6. With the above observation, the writ petition is disposed of. No costs.

N.V. RAMANA, J

Dated: 08 -11-2006
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